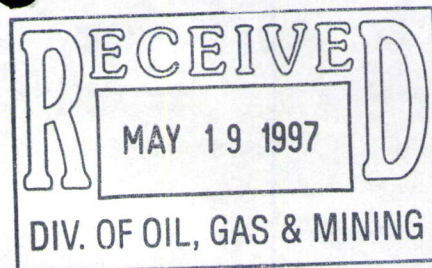


5/015
5/019/046

Moab District
Price River/San Rafael Resource Area
125 South 600 West
Price, Utah 84501



3809
UTU-69856
(UT-066)

Certified Mail--Return Receipt Requested
Certificate No. Z 382 124 912

MAY 16 1997

Mr. Tom Clark
P.O. Box 658
St. George, Utah 84770

NOTICE OF DECISION

A field examination conducted on May 9, 1997, on your underground mining operation on the Daddy Dearest mining claim group found that the truck turn-around area was being used to stockpile material. In addition, an electrical switchboard had been installed as had a portapotty. It has been determined that none of these changes are included in your notice which is on file at the Price River/San Rafael Resource Area office.

You are not conducting your operations in accordance with your notice and have therefore been found to be operating in noncompliance for failure to submit an amended notice prior to making the changes on the ground pursuant to 43 Code of Federal Regulations 3809.1-3 (1996 edition).

You shall submit an amended notice, which will include a map, within fifteen days of the date of this notice of noncompliance. The amended notice shall address all changes made since the last submission. Failure to comply with the conditions of this notice of noncompliance shall result in you being required to submit a plan of operations.

You have the right to appeal to the Utah State Director, Bureau of Land Management in accordance with 43 Code Of Federal Regulations 3809.4. If you exercise this right, your appeal, accompanied by a statement of reasons and arguments you wish to present which would justify reversal or modification of the decision, must be filed in

writing within 30 days from the date of this decision. The decision will remain in effect during the appeal unless a written request for a stay is granted.

Sincerely,


Area Manager

cc: Bryant Anderson
Emery County Planning and Zoning
P.O. Box 417
Castle Dale, Utah 84513
Kiran Bhayani
Utah Department of Environmental Health
Division of Water Quality
P.O. Box 144870
Salt Lake City, Utah 84114-4870
✓ Tony Gallegos
Division of Oil, Gas, and Mining
1594 West North Temple, Suite 210
P.O. Box 145801
Salt Lake City, Utah 84114-5801

NSimmons:rs:5/15/97
tomclark.ltr_5-97